

JC945 U.S. PTO
05/04/01

Please type a plus (+) inside this box



PTO SB-05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **BB1252 US NA1**
First Inventor **K. BUTLER ET AL.**
Title **DISEASE RESISTANCE FACTORS**
Express Mail Label No. **EL073740643US**

09/848841
05/04/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

- 1 ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- 2 ☐ Applicant claims small entity status.
See 37 CFR 1.27.
- 3 ☒ Specification [Total Pages **31**]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- 4 ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **6**]
- 5 ☐ Oath or Declaration [Total Pages **1**]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 17 completed)
 - ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
- 6 ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- 7 ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☒ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper - 13 pages
 - c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. § 3.73(b) Statement of Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent
17. ☐ Other:

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. **PCT/US99/25953** filed 11/4/99 which claims
priority to US Provisional Application No. **60/107,242** filed November 5, 1998.

Prior application information: Examiner **unknown**

Group Art Unit: **unknown**

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



23906

PATENT TRADEMARK OFFICE

or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

KENING LI

Registration No. (Attorney/Agent)

44,872

Signature

Date

MAY 4, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision

Complete if Known

TOTAL AMOUNT OF PAYMENT (\$ 800

Application Number	UNKNOWN
Filing Date	MAY 4, 2001
First Named Inventor	K BUTLER ET AL
Examiner Name	UNKNOWN
Group / Art Unit	UNKNOWN
Attorney Docket No	BB1252 US NA1

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to
- Deposit Account Number **04-1928**
- Deposit Account Name **E. I. du Pont de Nemours and Company**
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed
☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	201	710	355			Utility filing fee	710
106	206	320	160			Design filing fee	
107	207	490	245			Plant filing fee	
108	208	710	355			Reissue filing fee	
114	214	150	75			Provisional filing fee	

SUBTOTAL (1)

(\$ 710)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee below	Fee Paid
25	-20** = 5	X 18 = 90	
Independent Claims	2	-3** = 0	X 80 = 0
Multiple Dependent		X	= 0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	203	18	9			Claims in excess of 20
102	202	80	40			Independent claims in excess of 3
104	204	270	135			Multiple dependent claim, if not paid
109	209	80	40			** Reissue independent claims over original patent
110	210	18	9			** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 90)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	205	130	65			Surcharge - late filing fee or oath	
127	227	50	25			Surcharge - late provisional filing fee or cover sheet	
139	239	130	65			Non-English specification	
147	247	2 520	1 260			For filing a request for reexamination	
112	212	920*	460			Requesting publication of SIR prior to Examiner action	
113	213	1 840*	920			Requesting publication of SIR after Examiner action	
115	215	110	55			Extension for reply within first month	
116	216	390	195			Extension for reply within second month	
117	217	690	345			Extension for reply within third month	
118	218	1 390	695			Extension for reply within fourth month	
128	228	1 890	945			Extension for reply within fifth month	
119	219	310	155			Notice of Appeal	
120	220	310	155			Filing a brief in support of an appeal	
121	221	270	135			Request for oral hearing	
138	238	1 510	755			Petition to institute a public use proceeding	
140	240	110	55			Petition to revive - unavoidable	
141	241	1 240	620			Petition to revive - unintentional	
142	242	1 240	620			Utility issue fee (or reissue)	
143	243	440	220			Design issue fee	
144	244	600	300			Plant issue fee	
122	222	130	65			Petitions to the Commissioner	
123	223	130	65			Petitions related to provisional applications	
126	226	180	90			Submission of Information Disclosure Stmt	
581	281	40	20			Recording each patent assignment per property (times number of properties)	
146	246	710	355			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	249	710	355			For each additional invention to be examined (37 CFR § 1.129(b))	
179	279	710	355			Request for Continued Examination (RCE)	
169	269	900	450			Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

Name (Print/Type)

KENING LI

Registration No. Attorney/Agent

44.872

Telephone

302-992-3749

Signature

Date

MAY 4, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.